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2 Amy Bisson Holloway
3 Fair Political Practices Commission
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5 Sacramento, California 95814
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7 Attorneys for Complainant

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA

10 In re the Matter of

FPPC Number 00/66

11 FERNANDO VELLANOWETH,

12 STIPULATION,
13 DECISION AND ORDER

14 Respondent.
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17 Complainant, Mark Krausse, Acting Executive Director of the Fair Political Practices
18 Commission, and Respondent, Fernando Vellanoweth, hereby agree that this Stipulation will be
19 submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled
20 meeting.

21 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in
22 this matter, and to reach a final disposition without the necessity of holding an administrative hearing
23 to determine the liability of Respondent.

24 Respondent understands and hereby knowingly and voluntarily waives any and all procedural
25 rights set forth in sections 83115.5 and 11503 of the California Government Code, and in section
26 18361 of Title 2 of the California Code of Regulations. This includes, but is not limited to the right to
27 personally appear at any administrative hearing held in this matter, to have legal counsel present and
28 participate, to confront and cross-examine all witnesses testifying at the hearing, to subpoena

1 witnesses to testify at the hearing, and to have an impartial administrative law judge preside over the
2 hearing as a hearing officer.

3 It is further stipulated and agreed that Respondent has violated the Political Reform Act by
4 using campaign funds for personal use, in violation of section 89512.5, subdivision (b) of the
5 Government Code, as described in Exhibit 1, which is attached hereto, and incorporated by reference,
6 as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts of this matter.

7 Respondent agrees to the issuance of the Decision and Order which is attached hereto.
8 Respondent also agrees to the Commission imposing upon him an administrative penalty in the
9 amount of Thirty-Five Thousand Dollars (\$35,000.00). A cashier's check from Respondent, in the
10 amount of Thirty-Five Thousand Dollars (\$35,000.00), made payable to the "General Fund of
11 California," is submitted with this Stipulation as full payment of the administrative penalty, and shall
12 be held by the State of California until the Commission issues its Decision and Order regarding this
13 matter. The parties agree that in the event the Commission refuses to accept this Stipulation, it shall
14 become null and void, and within fifteen (15) business days after the Commission meeting at which
15 this Stipulation is rejected, all payments tendered by Respondent in connection with this Stipulation
16 shall be reimbursed to them. Respondent further stipulates and agrees that in the event the
17 Commission rejects the Stipulation, and a full evidentiary hearing before the Commission becomes
18 necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified
19 from acting on this matter, due to consideration of this Stipulation.

20
21 Dated: _____

Mark Krausse
Fair Political Practices Commission
Complainant

22
23
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25 Dated: _____

Fernando Vellanoweth, Respondent

ORDER

The foregoing stipulation of the parties “In the Matter of Fernando Vellanoweth, FPPC Number 00/66” including the attached exhibit, is hereby accepted as the final Decision and Order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Karen A. Getman, Chairman
Fair Political Practices Commission

1 witnesses to testify at the hearing, and to have an impartial administrative law judge preside over the
2 hearing as a hearing officer.

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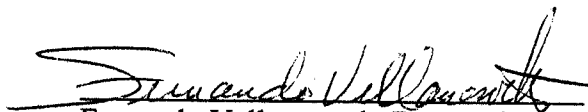
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19 from acting on this matter, due to consideration of this Stipulation.

20
21 Dated: 9/25/01



Mark Krausse
Fair Political Practices Commission
Complainant

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25 Dated: 9/19/01


Fernando Vellanoweth, Respondent